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Fax

To:	USPTO	From:	MARK J. NUEL No.:36,623
Fax:	(571) 273-8300	Pages:	9 (<u>including</u> cover sheet)
Application No(s):	10/564,367	Our Ref(s):	1261-0162PUS1
Subject:	Request for a Corrected Official Filing Receipt		

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PATENT

1261-0162PUS1

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant(s): OSADA, Hiroyuki et al. Conf.: 9208
Appl. No.: 10/564,367 Group: Unknown
Filed: March 23, 2006 Examiner: Unknown
For: THERAPEUTIC AGENT FOR HYPERCALCEMIA AND
BONE DISEASE

REQUEST FOR A CORRECTED OFFICIAL FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OCT - 4 2006

Sir:

Attached hereto is the Official Filing Receipt in connection
with the above-identified application.

THE FOLLOWING CORRECTION(S) IS/ARE RESPECTFULLY REQUESTED:

APPLICANTS 6TH & 7TH—

Change from: "JE-TAE WOO, AICHI, JAPAN"

To: --JE-TAE WOO, KASUGAI-SHI, AICHI, JAPAN—

Change from: "KAZUO NAGAI, KASUGAI-SHI, JAPAN—

To: --KAZUO NAGAI, KASUGAI-SHI, AICHI, JAPAN—

TITLE—

Change from: "THERAPEUTIC AGENT FOR HYPERPOTASSEMIA
AND BONE DISEASE"

To: --THERAPEUTIC AGENT FOR HYPERCALCEMIA
AND BONE DISEASE--


Appl. No. 10/564,367

It is respectfully requested that the U.S. Patent and Trademark Office forward/issue a new Filing Receipt with the correction(s) indicated above. Support for the correction(s) is readily apparent on the enclosed photocopy of the Declaration and Power of Attorney document.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Mark J. Nuell, #36,623

DRN/ang
1261-0162PUS1

Attachment(s)

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Projected Publication Date: 08/03/2006

Non-Publication Request: No

Early Publication Request: No

Title

Sporadic agent for herpes simplex virus type 1

Preliminary Class

S14

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of an "international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO may issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents" for more information on time limits and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website: <http://www.stoptrades.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving applicants guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-888-895-1141 (T-1-888-895-4451).

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COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name, that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title.

THERAPEUTIC AGENT FOR HYPERCALCEMIA AND BONE DISEASE

Fill in Appropriate

the specification of which is attached hereto. If not attached hereto, the application is identified by the attorney docket number as set forth above and/or the following:

Information -
For Use Without
Specification
Attached:

The specification was filed on _____ as
United States Application Number _____
and amended on _____ (if applicable) and/or
the specification was filed on July 15, 2004 as PCT
International Application Number PCT/JP2004/010125 and was
amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows:

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Insert Priority
Information:
(if appropriate)

2003-197229JapanJuly/15/2003

Priority Claimed

(Number)

(Country)

(Month/Day/Year Filed)

☒ Yes ☐ No

(Number)

(Country)

(Month/Day/Year Filed)

☐ Yes ☐ No

(Number)

(Country)

(Month/Day/Year Filed)

☐ Yes ☐ No

(Number)

(Country)

(Month/Day/Year Filed)

☐ Yes ☐ No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional
Application(s):
(if any)

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Insert Requested
Information:
(if appropriate)

Country

Application Number

Date of Filing (Month/Day/Year)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s), including for continuation-in-part application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.
Application(s):
(if any)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

Page 1 of 3
(Rev. 05/2004)

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Attorney Docket No. _____

I hereby appoint the practitioners at CUSTOMER NO. 02292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office, connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

CUSTOMER NO. 02292 (BIRCH, STEWART, KOLASCH & BIRCH, LLP)
 Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First
 or Sole Inventor;
 Inventor Name of
 Inventor Date This
 Declaration is Signed

Invent Residence
 Inventor Citizenship

Invent Post Office
 Address

Full Name of Second
 Inventor, if any;
 see above

Full Name of Third
 Inventor, if any;
 see above

Full Name of Fourth
 Inventor, if any;
 see above

Full Name of Fifth
 Inventor, if any;
 see above

Full Name of Sixth
 Inventor, if any;
 see above

GIVEN NAME/FAMILY NAME Hiroyuki OSADA	INVENTOR'S SIGNATURE <i>H. Osada</i>	DATE* January 20, 2006
Residence (City, State & Country) Wako-shi, Saitama, Japan		CITIZENSHIP Japanese
MAILING ADDRESS (Complete Street Address including City, State & Country) c/o RIKEN, 2-1, Hiroosawa, Wako-shi, Saitama 351-0198 Japan		
GIVEN NAME/FAMILY NAME Kiyotaka MACHIDA	INVENTOR'S SIGNATURE <i>K. Machida</i>	DATE* January 20, 2006
Residence (City, State & Country) Wako-shi, Saitama, Japan		CITIZENSHIP Japanese
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GIVEN NAME/FAMILY NAME Takeshi SHIMIZU	INVENTOR'S SIGNATURE <i>T. Shimizu</i>	DATE* January 24, 2006
Residence (City, State & Country) Wako-shi, Saitama, Japan		CITIZENSHIP Japanese
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GIVEN NAME/FAMILY NAME Tadashi NAKATA	INVENTOR'S SIGNATURE <i>T. Nakata</i>	DATE* Feb. 2, 2006
Residence (City, State & Country) Wako-shi, Saitama, Japan		CITIZENSHIP Japanese
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GIVEN NAME/FAMILY NAME Toshimasa SHINKI	INVENTOR'S SIGNATURE <i>T. Shinki</i>	DATE* January 31, 2006
Residence (City, State & Country) Saitama, Japan		CITIZENSHIP Japanese
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GIVEN NAME/FAMILY NAME Je-Tae WOO	INVENTOR'S SIGNATURE <i>Je-Tae Woo</i>	DATE* Feb. 20, 2006
Residence (City, State & Country) Kasugai-shi, Aichi, Japan		CITIZENSHIP Korean
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Attorney Docket No. _____

I hereby appoint the practitioners at CUSTOMER NO. 02292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

CUSTOMER NO. 02292 (BIRCH, STEWART, KOLASCH & BIRCH, LLP)
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

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THE
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Full Name of
the Sole Inventor
Insert Name of
Inventor
Insert Date This
Data Entered in English

Insert Name of
Inventor
Insert Citizenship

Insert Post Office
Address

Full Name of Second
Inventor, if any

Full Name of Third
Inventor, if any

Full Name of Fourth
Inventor, if any

Full Name of Fifth
Inventor, if any

Full Name of Sixth
Inventor, if any

GIVEN NAME/FAMILY NAME Kazuo NAGAI	INVENTOR'S SIGNATURE <i>K. Nagai</i>	DATE* Feb 20, 2006
Residence (City, State & Country) Kasugai-shi, Aichi, Japan		CITIZENSHIP Japanese
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GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP
MAILING ADDRESS (Complete Street Address including City, State & Country)		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP
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GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP
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GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP
MAILING ADDRESS (Complete Street Address including City, State & Country)		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP
MAILING ADDRESS (Complete Street Address including City, State & Country)		

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(Rev. 05/2004)

*DATE OF SIGNATURE